

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA	)	
	)	Criminal No. 04-CR-10336-NMG
v.	)	
	)	<b>VIOLATIONS:</b>
1. JULIO CARRION SANTIAGO,	)	
2. PEDRO ALBERTO MIRANDA,	)	21 U.S.C. §846--
a/k/a "TAVO", a/k/a Carlos Colon,	)	Conspiracy to Distribute Heroin
3. REYNALDO RIVERA, a/k/a "REY",	)	(Count I)
4. ENRIQUE AGOSTO,	)	
5. JOSE TORRADO,	)	21 U.S.C. §841(a)(1)--
6. CARLOS SANCHEZ,	)	Distribution of Heroin
7. LUIS R. SANCHEZ, a/k/a "PITO,"	)	and Aiding and Abetting Same
8. EDWIN TORREZ, a/k/a "COQUI,	)	(Counts II-VI)
9. JOSE O. RODRIGUEZ,	)	
10. ZULEIMA REYES, a/k/a "LINDA",	)	18 U.S.C. §924(c)--
11. SANTIAGO ARROYO, and	)	Possession of Firearms in
12. JUAN NUNEZ.	)	Furtherance of a Drug Trafficking
	)	Crime
	)	(Count VII)
	)	
	)	26 U.S.C. §5861(d)--
	)	Possession of Unregistered Firearms
	)	(Count VIII)
	)	
	)	21 U.S.C. §853--
	)	Criminal Forfeiture

**SUPERSEDING INDICTMENT**

**COUNT ONE:**      **(21 U.S.C. §846 -- Conspiracy to Possess With Intent to Distribute and Distribute Heroin)**

The Grand Jury charges that:

From in or about December 2003 to on or about October 15, 2004, in Lowell, Leominster, Fitchburg, Dracut and elsewhere in the District of Massachusetts and in the Eastern District of New York,

**1. JULIO CARRION SANTIAGO,**

2. PEDRO ALBERTO MIRANDA, a/k/a TAVO, a/k/a Carlos Colon,
3. REYNALDO RIVERA, a/k/a "REY",
4. ENRIQUE AGOSTO,
5. JOSE TORRADO,
6. CARLOS SANCHEZ,
7. LUIS R. SANCHEZ, a/k/a "PITO,"
8. EDWIN TORREZ, a/k/a "COQUI,
9. JOSE O. RODRIGUEZ,
10. ZULEIMA REYES, a/k/a "LINDA",
11. SANTIAGO ARROYO, and
12. JUAN NUNEZ,

defendants herein, did knowingly and intentionally combine, conspire and agree with each other and other persons, known and unknown to the Grand Jury, to possess with intent to distribute, and distribute, heroin, a Schedule I controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the conspiracy described herein involved at least one kilogram of a mixture and a substance containing a detectable amount of heroin, a Schedule I controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) applies to this Count.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO: (21 U.S.C. §841(a)(1) and 18 U.S.C. §2 -- Distribution and Possession with Intent to Distribute Heroin and Aiding and Abetting Same)**

The Grand Jury further charges that:

On or about December 10, 2003, in Lowell and elsewhere in the District of Massachusetts,

**3. REYNALDO RIVERA, a/k/a "REY" and  
13. SANTIAGO ARROYO,**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT THREE: (21 U.S.C. §841(a)(1) and 18 U.S.C. §2 -- Distribution and Possession with Intent to Distribute Heroin and Aiding and Abetting Same)**

The Grand Jury further charges that:

On or about December 18, 2003 in Lowell and elsewhere in the District of Massachusetts,

**3. REYNALDO RIVERA, a/k/a "REY" and  
10. ZULEIMA REYES, a/k/a "LINDA",**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT FOUR: (21 U.S.C. §841(a)(1) and 18 U.S.C. §2 -- Distribution and Possession with Intent to Distribute Heroin and Aiding and Abetting Same)**

The Grand Jury further charges that:

On or about January 7, 2004 in Lowell and elsewhere in the District of Massachusetts,

**3. REYNALDO RIVERA, a/k/a "REY" and  
10. ZULEIMA REYES, a/k/a "LINDA",**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT FIVE: (21 U.S.C. §841(a)(1) and 18 U.S.C. §2 -- Distribution and Possession with Intent to Distribute Heroin and Aiding and Abetting Same)**

The Grand Jury further charges that:

On or about January 14, 2004 in Lowell and elsewhere in the District of Massachusetts,

**3. REYNALDO RIVERA, a/k/a "REY" and  
10. ZULEIMA REYES, a/k/a "LINDA,"**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT SIX: (21 U.S.C. §841(a)(1) and 18 U.S.C. §2 -- Distribution and Possession with Intent to Distribute Heroin and Aiding and Abetting Same)**

The Grand Jury further charges that:

On or about January 30, 2004 in Lowell and elsewhere in the District of Massachusetts,

**3. REYNALDO RIVERA, a/k/a "REY" and  
10. ZULEIMA REYES, a/k/a "LINDA",**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT SEVEN: (18 U.S.C. §924(c)—Possession of Firearms in  
Furtherance of a Drug Trafficking Crime)**

The Grand Jury further charges that:

On or about October 15, 2004, in Leominster and elsewhere in the District of Massachusetts,

**1. JULIO CARRION SANTIAGO,**

defendant herein, did knowingly, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States (to wit: the crime charged in Count I of this indictment), possess firearms (to wit: 9mm Luger; Model AP9, serial number 033232; and three metal cylindrical devices that are firearm mufflers and firearm silencers).

All in violation of Title 18, United States Code, Section 924(c).



**COUNT EIGHT: (26 U.S.C. §5861(d)--Possession of Unregistered Firearms)**

The Grand Jury further charges that:

On or about October 15, 2004, in Leominster and elsewhere in the District of Massachusetts,

**1. JULIO CARRION SANTIAGO,**

defendant herein, did knowingly receive and possess firearms (to wit: three metal cylindrical devices that are silencers as defined in Title 26, United States Code, Section 5845(a)(7)) which are not registered to him in the National Firearms Registration and Transfer Record.

All in violation of Title 26, United States Code, Section 5861(d).

**FORFEITURE ALLEGATION**  
**(21 U.S.C. § 853)**

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts I through VI of this Indictment, the defendants,

1. JULIO CARRION SANTIAGO,
2. PEDRO ALBERTO MIRANDA, a/k/a "TAVO, a/k/a Carlos Colon,
3. REYNALDO RIVERA, a/k/a "REY",
4. ENRIQUE AGOSTO,
5. JOSE TORRADO,
6. CARLOS SANCHEZ,
7. LUIS R. SANCHEZ, a/k/a "PITO,"
8. EDWIN TORREZ, a/k/a "COQUI,
9. JOSE O. RODRIGUEZ,
10. ZULEIMA REYES, a/k/a "LINDA",
11. SANTIAGO ARROYO, and
12. JUAN NUNEZ,

shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations, including without limitation:

- a. \$6,200 in United States currency seized from 270 Fairmont Street, Apartment 1F, Fitchburg, Massachusetts, on October 15, 2004;
- b. \$3,200 in United States currency seized from 235 Eighteenth Street, Apartment 204, Dracut, Massachusetts, on October 15, 2004;
- c. One blue 1994 Plymouth Voyager minivan, VIN 2P4GH45R5RR796331, bearing Massachusetts registration 5133XA, registered to SANTIAGO, seized in Brooklyn, New York on October 15, 2004; and
- d. One black 1999 GMC Yukon bearing Massachusetts, VIN 1GKEK13R4XJ766046, registration plate 4740YR, registered to RIVERA,

seized from 235 Eighteenth Street, Dracut, Massachusetts, on October 15, 2004.

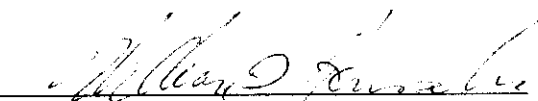
2. If any of the property described in paragraph 1 above, as a result of any act or omission of the defendants,


- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of 21 U.S.C. § 853.

A TRUE BILL,

  
FOREPERSON OF THE GRAND JURY

  
Denise Jefferson Casper  
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS

April 13, 2005 @ 2:25

Returned into the District Court by the Grand Jury Foreperson and filed.

  
Deputy Clerk